

RESOLUTION NO. 12-035

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDED PROFESSIONAL SERVICE
CONTRACT FOR LABOR COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle general labor matters and collective bargaining as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with three bids having been received and considered for the position of Labor Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Cleary Giacobbe Alfieri Jacobs, LLC, 7 James Street, Florham Park, New Jersey 07932 has qualified and agreed to provide labor counsel services at a rate of \$130 per hour estimated not to exceed \$35,000, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable approved expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of Cleary Giacobbe Alfieri Jacobs, LLC, 7 James Street, Florham Park, New Jersey 07932 is hereby awarded a professional services contract for the provision of legal services as General Labor Counsel to the Township as needed during 2012 for an estimated amount not to exceed \$35,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.